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Chairman: Mr. Simon (Vice-Chairman) ..... (Hungary)
later: Mr. Bennouna (Chairman) ..... (Morocco)
later: Mr. Simon (Vice-Chairman) ..... (Hungary)

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In the absence of Mr. Bennouna (Morocco), Mr. Simon (Hungary), Vice-Chairman, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 148: Measures to eliminate international terrorism (*continued*) (A/59/37, A/59/210 and Corr.1 and A/59/383-S/2004/758; A/C.6/59/L.10)

1. **Ms. Katungye** (Uganda) said that her delegation was frankly frustrated because the negotiations on the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism appeared to be going nowhere, and it appealed to the international community to breathe new will into the stalled negotiation process. Uganda unconditionally condemned the kidnappings and beheadings in Iraq and the recent terrorist attacks on innocent civilians in the Sinai peninsula and on the defenceless children of Beslan, and it had not forgotten the children and other villagers of northern Uganda who had been continually terrorized for over 18 years.

2. In addition to the reports prepared for the agenda item under consideration, her delegation had found the report of the Secretary-General on strengthening international cooperation and technical assistance in preventing and combating terrorism (A/59/187) most instructive and encouraging. The review it contained of the technical assistance activities of the Terrorism Prevention Branch of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime was helpful in that it pointed to very practical methods of combating terrorism that could be accessed or emulated by Member States. It was undeniable that terrorism had links with transnational organized crime, drug trafficking, the illicit trade in guns, and money-laundering. Her delegation wished to thank the Governments mentioned in the report which had made financial contributions to the technical assistance projects of the Terrorism Prevention Branch. It has also found the Secretary-General's report on measures to prevent terrorists from acquiring weapons of mass destruction (A/59/156) very interesting and commended the States that had voluntarily provided information.

3. Uganda was a party to 11 international legal instruments related to terrorism and was active in combating terrorism and organized crime at the international, regional and national levels, as detailed in its reports to the Counter-Terrorism Committee. It reiterated its support for the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response to terrorism, because it believed that such a meeting was crucial for galvanizing political commitment to pursue the war on terror. Uganda wished to underscore the need to seek innovative and practical ways to fight poverty, which provided a fertile ground for terrorists seeking exploitable recruits. It supported the Costa Rican initiative for the establishment of a post of a United Nations high commissioner on terrorism (A/59/383-S/2004/758).

4. *Mr. Bennouna (Morocco) took the Chair.*

5. **Mr. Abdel** (Sudan) said that his country condemned terrorism in all its forms and manifestations as unjustified and unwarranted and supported all efforts of the international community to combat that threat to peace and security. Sudan had been one of the first countries to ratify all 12 of the international legal instruments related to terrorism, and it had made the objectives of the conventions part of its national priorities. It also worked to combat terrorism within the framework of the regional organizations of which it was a member.

6. Nevertheless, it was concerned about the fact that the issue of combating terrorism was becoming a political weapon used by some States for their own designs and as a pretext for interference in the internal affairs of others. There was a danger that the struggle of peoples for self-determination might be confused with terrorism. The Sudan called for concerted efforts to reach consensus on a definition of terrorism and the means to combat it.

7. **Ms. Zanelli** (Peru) said that her country energetically and unequivocally condemned terrorism, having been its victim for more than a decade. It knew that terrorism could not be defeated without a comprehensive strategy based on the rule of law, international law, including the Charter of the United Nations, and strict respect for human rights.

8. Peru cooperated fully with the Committees established pursuant to Security Council resolutions 1267 (1999) and 1373 (2001), respectively, and would continue to implement practical measures aimed at improving its ability to deal with terrorism. It was a party to the 12 conventions on international terrorism and to the Inter-American Convention against Terrorism.

9. Her delegation was concerned that no consensus had been reached with regard to the two draft conventions being considered by the Committee. The General Assembly was the forum in which all Member States participated or an equal footing in deliberations and decisions whose results were incorporated into treaties binding upon States. The legitimacy of the Assembly, and hence that of the Organization as a whole, rested upon the Assembly's ability to rule in a timely and effective manner on questions of crucial importance to the international community. Progress on the two draft conventions had been so limited that while the Sixth Committee was considering the report of the Working Group, the Security Council, in the adjoining chamber, had adopted resolution 1566 (2004), in which it called upon Member States to resolve all outstanding issues on an expedited basis with a view to adopting the two draft conventions by consensus. In that connection, Peru hoped that informal intersessional consultations would be held and that the Ad Hoc Committee would be able to hold an extra session during the first three months of 2005.

10. **Mr. Kazykhanov** (Kazakhstan) said that for years the international community had been ignoring the most burning issues of social and economic development and had failed to address poverty, misery, illiteracy and discrimination. As a result, it was faced with the unprecedented threat posed by international terrorism of growing reach and brutality. Modern terrorism was a transnational phenomenon, which could only be defeated through the active engagement of all States and international organizations.

11. In that regard, the efforts of the Counter-Terrorism Committee could be helpful in implementing the comprehensive counter-terrorism measures being devised by the international community. It was already assessing countries' technical assistance requirements and arranging visiting missions, with a view to improving direct dialogue, achieving fuller implementation of Security Council resolution 1373 (2001) and ensuring that technical assistance was targeted appropriately. Resolution 1373 (2001) provided a clear strategy and universally accepted legal framework, and its implementation was essential. To meet its requirements, Kazakhstan had developed a national strategy to prevent infiltration into its territory of individuals and entities involved in terrorism and to identify and freeze their assets. In accordance with Security Council resolutions 1455 (2003) and 1526 (2004), it had taken extensive measures to prevent individuals and entities associated with Al-Qaida and the Taliban from carrying out activities in the territory of Kazakhstan. In that regard, it was very important for States to provide information for inclusion in the list of such persons and to ensure that it was accurate. Kazakhstan viewed the adoption by the Security Council of its resolution 1566 (2004), providing for additional counter-terrorism measures, as a timely step to improve the effectiveness of the joint efforts of the international community.

12. Kazakhstan had acceded to 11 of the conventions against terrorism and was in the process of completing ratification procedures for accession to the Convention on the Physical Protection of Nuclear Material. His delegation believed that the draft conventions currently under discussion by the Committee would fill gaps relating to issues unregulated by existing instruments on terrorism, and it supported the early resolution by consensus of the outstanding issues.

13. The Government was putting in place a system of coordination between government agencies and was introducing new technologies into its system of border controls. It also anticipated good results in the fight against terrorism from close cooperation with the regional groups of which it was a member and in particular from the Kazakhstan proposal to establish a Commonwealth of Independent States security council.

14. His delegation was convinced that broadening mutual understanding in an effort to prevent indiscriminate targeting of religions and cultures and addressing unresolved regional conflicts would promote the international cooperation necessary for the widest possible counter-terrorism campaign. The United Nations should continue to play a central coordinating role in strengthening global security on the basis of universally recognized norms and principles of international law.

15. **Mr. Kone** (Burkina Faso) said that terrorism ranked high on the list of the scourges afflicting mankind, along with armed conflict, poverty, HIV/AIDS and corruption. Burkina Faso wished to reaffirm its condemnation of terrorism's barbarous acts, by whomsoever committed and for whatever reasons, and to reiterate its commitment to continue to work with the international community to achieve a collective victory. The road to that goal was made even longer by the inability of delegations to overcome their

differences in order to present the international community with a comprehensive convention that would fill the gaps left by the sectoral conventions on terrorism. The time for debate had been extended, while inequalities increased and international solidarity waned.

16. In addition to adopting political and diplomatic positions, Burkina Faso was taking many other steps to combat terrorism. It was a party to 13 international and regional conventions relating to terrorism and, under a cooperation project with the Counter-Terrorism Committee, would soon complete the process of integrating their provisions into its national legislation. It had also put important security measures into place.

17. In order to succeed, counter-terrorism efforts must be global and universal, not selective, partial or partisan. The fight against terrorists should not be conducted in such a way as to win them allies. Moreover, it was necessary to do away with the injustices and frustrations that provided fertile ground for terrorism. Member States, whether large or small, must learn to look at one another, listen to one another, address gross inequities and take into account the poorest and humblest in a spirit of solidarity. Only in that way could the fight be won.

18. **Ms. Ow** (Singapore) said that her delegation associated itself with the statement made by Viet Nam on behalf of the Association of South-East Asian Nations (ASEAN) at the 7th meeting of the Sixth Committee. In the general debate during the current session of the General Assembly, country after country from different regions had called for greater efforts to eliminate the scourge of international terrorism, in response to the increasing number of acts of terrorism that plagued the world. Singapore joined in condemning those heinous acts and expressed solidarity with those affected. The tragic events of 11 September 2001, which had revealed the existence of a global terror network motivated by fanaticism, had put an end to hopes that a "peace dividend" might be realized following the end of the cold war. In its indiscriminate attacks international terrorism had left no region unscathed and did not respect race, religion or ethnicity. Its pervasiveness differentiated it from the terrorism experienced in the past. The threat had become global and strategic and had changed the security landscape. Experience had shown that global solutions were needed for global problems. As the only truly representative international organization, the United Nations must rise to the challenge of defeating international terrorism.

19. Singapore stood ready to work with the international community in the campaign against international terrorism. As a multiracial, multi-religious society, Singapore was concerned to prove wrong those who predicted a "clash of civilizations". In its efforts to combat terrorism it consistently emphasized dialogue and cooperation. Like the Secretary-General, Singapore wished to stress the importance of the rule of law. Only with equal treatment for all under the law could injustice and discrimination be eliminated and, with them, any pretext for terrorism. The creation of internationally agreed standards and norms was one of the proudest achievements of the United Nations and within the framework of the Organization was the responsibility of the Sixth Committee in particular. Member States had seen the Security Council taking the lead with regard to counter-terrorism, and some had complained that it was usurping the legislative role of the General Assembly. If that were so, it was because the General Assembly, and particularly the Sixth Committee, had not responded in a timely fashion to the clear and present danger posed by global terrorism. The Committee should seize the opportunity to fulfil its responsibility of completing the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism.

20. **Mr. Lavalle-Valdés** (Guatemala) said that terrorism not only manifested itself in horrendous crimes but also tended to exacerbate the tensions already poisoning international relations and to feed into cultural prejudices damaging to harmony among nations. The Security Council was justified in characterizing terrorism as one of the most serious threats to peace and security. Hence it was inconceivable that the United Nations should not play a central role in combating terrorism, as reflected in the declarations of the General Assembly in 1994 and 1996, the many resolutions of the Security Council, the 12 international legal instruments relating to terrorism, and the efforts of the Ad Hoc Committee established by General Assembly resolution 51/210 and its alter ego, the Working Group of the Sixth Committee, to fill the legal gaps left by those instruments. In the opinion of his delegation, many of the provisions of the General Assembly declarations on terrorism had

acquired the status of customary law and were therefore to be considered binding on States, and the same might perhaps be said of the two Security Council declarations on terrorism.

21. The resolutions on terrorism adopted by the Security Council under Chapter VII of the Charter of the United Nations followed two different lines of approach. The first set, beginning with resolution 1373 (2001), treated terrorism from an objective and general standpoint. The second set, beginning with resolution 1267 (1999), could be characterized as subjective or *ratione personae* and dealt with sanctions against named individuals and entities associated with Al-Qaida and the Taliban. In both of those areas a committee had been established to monitor implementation. His delegation found it surprising that the General Assembly resolutions on terrorism had dealt only with the first aspect and not with the second and thought that the deficiency should be corrected.

22. Yet another Security Council committee had been established pursuant to resolution 1540 (2004) with the aim of preventing weapons of mass destruction from falling into the hands of terrorists. That line of approach could be characterized as objective, but was specific rather than general. The existence of three different committees might generate problems, but proper coordination could not only overcome duplication but create synergy among the three. Guatemala also welcomed the establishment of a working group pursuant to the very recent Security Council resolution 1566 (2004) to expand upon the *ratione personae* aspect of the fight against terrorism. It was highly interested in the proposal contained in paragraph 10 of that resolution; the problems entailed in establishing an international fund to compensate victims of terrorist acts and their families might be considerable but should not be insuperable.

23. Without prejudice to any new measures that might be taken, his delegation wished to stress that it was essential for States to become parties to the existing conventions relating to terrorism, to put them into effect and to implement the requirements of Security Council resolutions and the obligations imposed by customary international law. Among the new measures that might be taken, the proposal of Costa Rica concerning the establishment of a post of United Nations high commissioner on terrorism (A/59/383-S/2004/758) was particularly worthy of consideration.

24. **Mr. Toro Jiménez** (Venezuela) said that his country was a party to all declarations, resolutions and international conventions against terrorism and was scrupulous in its compliance with the body of legislation aimed at fighting it. In that connection, Venezuela had established a national counter-terrorism authority.

25. The General Assembly, the Security Council and the Secretariat were all involved in the fight against terrorism. The Assembly had been working for several years to elaborate the legal instruments required pursuant to resolution 51/210, without arriving at a final text. He was confident that open and honest discussions, taking a multidimensional approach to a complex problem, would lead to a legal framework that would make it possible not only to confront the immediate effects of terrorism but also to remedy its root causes.

26. The President of Venezuela had often reiterated the view that terrorism could not be fought with terrorism. Responding to violence with violence merely created a destructive spiral that claimed more innocent victims every day, leading to the debasement of mankind. Using terrorism against terrorism meant, inter alia, the negation of human rights and of civil, political and economic rights. Common sense would suggest that the fight against terrorism should begin and end with the defence and promotion of human rights and open with a peace offensive focusing on hunger and poverty.

27. All States, peoples and organizations should commit themselves to the vital task of eliminating hunger and poverty. Member States must seek to restore the dignity and self-esteem of two thirds of the world's population, allowing them to escape from marginalization and exclusion and progress towards the full enjoyment of their fundamental rights. Venezuela participated fully in both word and deed in the fight against terrorism and in efforts to fulfil the United Nations mandate to ensure respect for international law and human rights.

28. **Mr. da Conceição e Silva** (Angola) said it was regrettable that Member States had been unable to overcome their differences in the discussions concerning the draft comprehensive convention on international terrorism and the international convention for the suppression of acts of nuclear terrorism. With political will, it might have been possible to reconcile

the divergences between the Coordinator's proposal for articles 2 and 18 of the draft comprehensive convention and that of the Organization of the Islamic Conference, since the issues under discussion came within the scope of the four Geneva Conventions of 1949 and the Protocols thereto. States must continue to seek a consensus during the current session of the General Assembly. Furthermore, a high-level conference under the auspices of the United Nations — an idea favoured by Angola — would be more productive if it were convened once the work on the draft comprehensive convention was complete.

29. The fight against terrorism must focus on prevention and address its root causes, whether political, economic or social. Terrorism was no longer a local issue, and domestic action was therefore not enough; long-term solutions were needed, based on international cooperation. The adoption by the Security Council of resolutions 1267 (1999), 1373 (2001), 1455 (2003) and 1526 (2004) were unprecedented steps in the creation of counter-terrorism legislation that was binding on all Member States. Security Council resolution 1540 (2004) was also important because it raised the issue of the link between terrorism and the proliferation of weapons of mass destruction, which was one of the most pressing issues and the greatest threat currently confronting the international community. International networks for the procurement of chemical, biological and nuclear technology demonstrated the danger of such weapons falling into the hands of non-State actors.

30. Angola was Vice-Chairman of the Counter-Terrorism Committee, and had participated directly in its consultations and complied with all relevant resolutions. It had submitted all the national reports requested by that Committee. At the regional and subregional level, it also cooperated with countries of the Southern African Development Community and the African Union and was a party to four counter-terrorism conventions.

31. **Ms. Al-Zadjali** (Oman) said that recent events had confirmed that terrorism was multifaceted and knew neither national nor religious boundaries. It was political or economic in nature and Member States had to combine their efforts and analyse its root causes in order to combat it. The comprehensive convention should provide a clear definition of terrorism, as distinguished from the right of peoples under Article 51 of the Charter of the United Nations to legitimate self-defence against foreign occupation.

32. International policies in recent years had given rise to certain types of terrorist acts, including the events of 11 September 2001 and those in Beslan, in the Russian Federation. Her delegation firmly condemned all such actions, including the recent attack in Taba, Egypt, and would cooperate with affected States to deal with such aggression. Now more than ever the international community had to confront terrorism in all its forms, whether State terrorism or individual terrorism based on blind extremism.

33. The idea of convening a high-level conference should be given careful consideration. Such a conference might be an important step in assisting Member States to triumph over terrorism. In addition, the importance of international counter-terrorism conventions should be reaffirmed. In that connection, Oman had acceded to 10 such instruments.

34. **Mr. Al-Adhami** (Iraq) expressed his regret that no agreement had been reached on the two draft conventions referred to in the report of the Ad Hoc Committee. He hoped that Member States would overcome their difficulties so that those conventions could be adopted.

35. Iraq condemned all forms of terrorism as a threat to international peace and security, sovereignty and the rule of law, as well as human rights and economic and social development. Iraq was currently afflicted by terrorist acts that showed the wantonness of the perpetrators, destroying infrastructure, places of worship and schools. Iraq was consequently becoming increasingly convinced of the importance of international cooperation in combating terrorism, including practical measures such as border controls and prosecution of terrorists. In that connection, his Government had created a high-level committee to consider Iraq's accession to international counter-terrorism conventions.

36. Although the adoption of instruments at all levels was important, terrorism would not be eliminated unless the underlying causes were addressed. Poverty, ignorance, and lack of respect for human rights all created fertile ground in which terrorism could grow. If those factors were ignored, any combative measure would be futile.

37. **Ms. Ramoutar** (Trinidad and Tobago), speaking on behalf of the member States of the Caribbean Community (CARICOM) which were Members of the United Nations, encouraged all States to demonstrate the necessary political will to ensure the rapid conclusion of the work of the Ad Hoc Committee. Further, CARICOM supported the convening of a high-level counter-terrorism conference under the auspices of the United Nations.

38. The link between transnational organized crime and terrorism, including illicit trafficking in drugs and arms to finance terrorist activities, was becoming more seamless. The international community should continue to endeavour to eliminate such crimes, while taking into account the vulnerabilities of small States and their limited capacity to address all aspects of terrorism including in the areas of law enforcement, border controls and legislation.

39. The CARICOM member States condemned all forms of terrorism and supported all efforts, at the United Nations and in other international forums, to respond to the threat in a manner consistent with the provisions of the Charter and international law, including humanitarian and human rights law.

40. **Mr. Kanu** (Sierra Leone) said that his delegation associated itself with the statement on behalf of the Organization of the Islamic Conference made by Turkey at the seventh meeting of the Committee.

41. The bombing of the United States embassies in Kenya and the United Republic of Tanzania in 1998 should have awakened the international community to the need to confront terrorism head-on. Nevertheless, the need for a unified response had been recognized only after the attacks of 11 September 2001 on New York and Washington, D.C.

42. Sierra Leone condemned terrorism in all its forms and had put in place mechanisms demonstrating that commitment. It had acted within the limited scope of its resources to meet its obligations pursuant to Security Council resolutions 1267 (1999) and 1373 (2001). Nevertheless, having emerged from a long and unnecessary civil conflict, it had competing priorities that made such obligations onerous. To meet them, Sierra Leone required technical assistance from the international community. Notwithstanding its difficulties in terms of capacity, it was a party to nearly all international and regional counter-terrorism conventions.

43. A comprehensive convention on international terrorism and a convention for the suppression of acts of nuclear terrorism were needed to strengthen the fight against terrorism. Sierra Leone believed that with political will and commitment, as well as a spirit of compromise and respect for the positions of others, it would be possible to resolve the outstanding issues. To that end, his delegation would continue to work tirelessly with others. Furthermore, it supported the convening of an international conference under the auspices of the United Nations.

44. Viewing terrorism from a national standpoint was no longer a useful approach. States must devise truly international counter-terrorism strategies, and the United Nations must be perceived to be acting fairly and impartially in implementing them. Geopolitics must not complicate the situation.

45. Terrorism had many causes, and terrorists thrived on despair. The international community must find a way to address legitimate grievances and the abuse of human rights, both of which could fuel terrorism. Terrorism thrived in many failed States where the rule of law was non-existent. Therefore, Sierra Leone strongly believed that the rule of law was the best way to provide people with legitimate outlets for their opinions and ways to express their needs.

46. **Mr. Hmoud** (Jordan) said that his delegation aligned itself with the statement made by Turkey on behalf of the Organization of the Islamic Conference at the seventh meeting of the Committee. In its view, the General Assembly should play the key role in formulating international legal instruments to combat terrorism. Other United Nations bodies could complement its work but not replace it. It was therefore imperative that the General Assembly should reach agreement as soon as possible on the remaining points of difference concerning the comprehensive convention on terrorism and the nuclear terrorism convention, including the definition of a terrorist act. Since it was the only United Nations treaty-making body imposing contractual obligations that States assumed willingly, a definition agreed on by the General Assembly would reflect the international community's view of the meaning of terrorism and the legal regime that should apply to determine the legality of a given act.

47. His delegation welcomed the fact that Security Council resolution 1566 (2004) had not created new elements to define a terrorist act but merely reiterated

elements to be found in existing instruments, thus avoiding any misunderstanding concerning the Council's authority to legislate on how terrorism should be understood. The resolution had also reiterated the fact that terrorist acts could not be justified on political, philosophical or other grounds. At the same time, if a given action was legal under international law or the Charter of the United Nations, it was by definition not a terrorist action, even though it might be violent and brutal. The issue of political or other justifications thus became irrelevant.

48. The recognition in the resolution of the need to address the root causes of terrorism was welcome. It was unfortunate that, over the past few years, a single religion had been indiscriminately targeted by some nations in the campaign against terror, with the result that hatred and misunderstanding had been aroused among civilizations and cultures. Moreover, some delegations had misunderstood the message of resolution 1566 (2004). To say that there was no justification for terror did not give governments carte blanche to violate international law in the name of combating terrorism. Nor should the diplomats and lawyers of the Sixth Committee dispense with the rights embodied in the Charter when negotiating anti-terrorist legal instruments. The Committee's task was to preserve the rule of law and establish a balance between law-enforcement instruments and the protection of other rights. Lastly, he reiterated his delegation's support for the speedy conclusion of the draft convention for the suppression of nuclear terrorism. The differences in position were minimal and, with good will, a breakthrough could be achieved.

49. **Mr. Aileone** (New Zealand) said that recent terrorist attacks had underlined the critical importance of the international campaign against terrorism. New Zealand had ratified all 12 international anti-terrorism conventions. It was in compliance with Security Council resolutions 1267 (1999), 1373 (2001) and 1390 (2002). It also cooperated closely with the Financial Action Task Force on Money Laundering. It was fully compliant with the International Maritime Organization's new International Ship and Port Facility Security Code. As for aviation security, New Zealand planned to meet the new International Civil Aviation Organization standards on baggage screening.

50. His delegation had supported the development of a comprehensive convention to outlaw terrorism since 1972. The need had become greater than ever. While his delegation shared the general frustration over the lack of progress by the Ad Hoc Committee, such frustration should not lead to the abandonment of efforts to produce a text. Any United Nations action on counter-terrorism sent an important signal that the international community was committed to combating terrorism. The Ad Hoc Committee should therefore intensify its efforts to reach agreement on a text that would complement measures already in place.

51. New Zealand participated in counter-terrorism initiatives under the auspices of the Association of South-East Asian Nations (ASEAN) and the ASEAN Regional Forum; the Asia-Pacific Economic Cooperation Counter-Terrorism Task Force and the Pacific Islands Forum initiatives to enhance counter-terrorism cooperation. The Minister for Foreign Affairs and Trade had attended the Bali Regional Ministerial Meeting on Counter-Terrorism in February 2004 and New Zealand was participating in the ad hoc working groups on legal issues and law enforcement established by that meeting. Regional counter-terrorism efforts should continue to focus on practical initiatives and avoid duplicating work under way elsewhere.

52. New Zealand worked with Pacific island countries to help them meet their international counter-terrorism obligations. To that end, it had established the Pacific Security Fund, which provided up to NZ$ 3 million per year for training and technical assistance projects relating to counter-terrorism and security. The Fund had enabled New Zealand to host a Pacific round table on counter-terrorism. It was important to acknowledge the challenges faced by Pacific island countries and by small island developing States in general. Before the terrorist attacks in New York and Washington on 11 September 2001, few had adopted counter-terrorism legislation or been signatories to anti-terrorism conventions. Although the leaders of the Pacific Forum had, in their Nasonini Declaration on Regional Security of 2002, expressed the region's commitment to implementing international standards, Pacific island countries faced real difficulties. Limited resources — both human and budgetary — meant that many struggled to respond to the international counter-terrorism agenda. In addition, they felt a degree of frustration that international standard-setting forums had not engaged in consultations with them, with the result that new counter-terrorism standards made few allowances for the implementation challenges that they faced. The Counter-Terrorism Committee should

recognize the difficulties and work with the Pacific Islands Forum to explore mechanisms that might reduce the reporting burden. Regional reporting might be a possibility in that regard.

53. **Mr. Choisuren** (Mongolia) said that the United Nations was uniquely placed to develop a comprehensive strategy to uproot international terrorism through concerted action. The role of the Security Council could not be underestimated. In particular, it was to be hoped that Security Council resolution 1566 (2004) would inject new energy into international cooperation in the fight against terrorism. The General Assembly had also played a central role in developing a body of law to counter terrorism. The 12 anti-terrorism conventions commanded virtually universal adherence. His country was no exception: with its ratification of the International Convention for the Suppression of the Financing of Terrorism in December 2003, the number of ratifications by his country had risen to 10.

54. The existing legal framework, however, should be further strengthened. His delegation therefore attached great value to the work of the Ad Hoc Committee. The current tendency within the Security Council to resort increasingly to the adoption of international norm-setting resolutions was, above all, a consequence of the General Assembly's inability, or even failure, to play its role as the legislative body. Security Council resolution 1566 (2004) contained that body's definition of terrorism only because the General Assembly had not adopted a widely recognized and negotiated legal definition of that phenomenon. The speedy conclusion of the two draft conventions under consideration would not only be in the interests of all Member States, but would also facilitate the work of the Security Council by enhancing the legal framework on which its resolutions were based.

55. *Mr. Simon (Hungary), Vice-Chairman, resumed the Chair.*

56. **Mr. Haj Ibrahim** (Syrian Arab Republic) said that his delegation wished to align itself with the statement made by Turkey on behalf of the Organization of the Islamic Conference (OIC) at the seventh meeting of the Committee. The Syrian Arab Republic condemned terrorism in all its forms and manifestations, whether committed by an individual, by a group or by a State: such terrorism constituted a criminal act. International cooperation was essential to establish legislation that would prevent terrorism and eliminate its causes. His delegation supported the Counter-Terrorism Committee and its Executive Directorate.

57. One of the greatest achievements of the United Nations had been the liberation of scores of countries from colonization and foreign occupation, although the initiative had generally come from the peoples concerned themselves. Action taken in pursuit of self-determination could not be termed terrorism. Similarly, in waging war against international terrorism, States must respect the principles of international humanitarian law and the Charter of the United Nations. Israel, which ignored those principles on a daily basis with its incursions into Palestine and the Syrian Golan, was guilty of the most arrant double standards when it termed its actions "self-defence" and those of the Palestinian people "terrorism".

58. His delegation fully supported the work of the Ad Hoc Committee in its efforts to elaborate a text for a comprehensive convention on terrorism. Its aim should be to build on the sectoral conventions, always taking account of legitimate struggles for self-determination. Moreover, any provisions should be in conformity with international humanitarian law and the Charter. His delegation shared the concern expressed in the statement on behalf of OIC concerning draft article 18 relating to the convention's scope of application. He trusted, however, that the deadlock could be resolved.

59. **Mr. Amayo** (Kenya) said that, while terrorist acts were perpetrated by individuals and groups, such entities operated within States. It therefore behoved all States to join efforts to fight and eliminate terrorism. The central role belonged to the United Nations. Yet the approach adopted to date had been curative rather than preventive. His delegation urged a change in focus that would target the root causes of terrorism. Geographical, cultural, religious, racial or ideological differences were often identified as the driving force behind terrorism. The opposite was the truth: there was much strength in diversity, if it was fully and properly exploited. Thus anti-terrorist measures should be tailored to suit diverse religious, political, economic, cultural or national situations.

60. Although his delegation supported the work of the Counter-Terrorism Committee and continued to submit the requisite reports, the Committee would achieve better results if it concentrated on capacity-

building within national, subregional and regional institutions. In that context, he commended the capacity-building efforts undertaken by the International Atomic Energy Agency and the anti-terrorist activities and programmes undertaken by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime. Security Council resolution 1540 (2004), which called on all States to put in place national export controls, was also useful.

61. Despite limited resources, Kenya had instituted various measures to deal with terrorism. It had ratified all the 12 international terrorism conventions and the Organization of African Unity Convention on the Combating and Prevention of Terrorism of 1999. It had inaugurated a counter-terrorism centre in January 2004 to collect and analyse all information relating to potential terrorist threats and an anti-terrorism police unit had been established in February 2004. The Suppression of Terrorism Bill 2003, which provided for investigative, preventive and prosecutorial mechanisms for dealing with individuals and organizations suspected of involvement in terrorist activities, awaited debate in Parliament. In September 2004, a regional capacity-building workshop on the combating of terrorism had been held for the purpose of training security and law-enforcement agencies. A money-laundering bill that would provide for the freezing of funds and the confiscation of the property of persons or organizations associated with terrorist activities was in preparation. A special prosecution unit had also been established in the Office of the Attorney-General to deal with forfeiture of assets emanating from terrorist activities.

62. As for the work of the Ad Hoc Committee on the two draft conventions, his delegation recognized that the outstanding issues were complex and political in nature. There was, however, an urgent need to find common ground. The struggles waged by peoples in accordance with the principles of international law for liberation from colonialism, occupation or aggression by foreign forces should not be considered terrorism. Only by acknowledging that reality could the Committee resolve the outstanding issues. His delegation would continue to be flexible, bearing in mind the paramount need to define terrorism neither too narrowly nor too broadly.

63. **Mr. Al-Dhalie** (Yemen) said that his Government pursued a clear and transparent policy against international terrorism, which was harmful to social, economic and political development and stability throughout the world. The measures adopted by the Government were set out in its reports to the Counter-Terrorism Committee. Yemen viewed the issue with particular concern, for it had suffered significant loss of life and material damage as a result of terrorism. All countries were affected, however. They should therefore come together to improve regional security and cooperation and, at the same time, undertake a thorough examination of the origins of terrorism, such as poverty or violations of human rights, justice, tolerance, democracy or civil and political rights. If the international order were based on humanitarian and just principles, terrorism could be eliminated.

64. His delegation was in favour of convening a high-level conference to determine international strategies to combat terrorism. Experience had shown that military force alone would not suppress terrorism. The public needed to be educated and sensitized.

65. The General Assembly should agree on a definition of international terrorism that would be appropriate to every situation, due account being taken of the distinction between terrorism and the legitimate struggle against foreign occupation or domination. It was also essential to finalize the text of the comprehensive convention, since a legal basis for action against international terrorism was more necessary than ever.

66. **Mr. Latheef** (Maldives) said that no one country alone could act effectively against the threat of international terrorism. The issue should therefore remain a priority on the international agenda. Small States like his own had a very limited capability to combat even so-called "low-intensity" threats from terrorism, let alone the activities of elements engaged in drug trafficking, money-laundering or gunrunning. A terrorist act could thus threaten not only the national security but also the sovereignty of small States. The early adoption of the comprehensive convention on terrorism and the nuclear terrorism convention would be a crucial step in combating a worldwide scourge.

67. Measures to eliminate international terrorism must also address the dangers imposed by the use of mercenaries to achieve political ends. The Maldives had suffered a bitter experience in that regard. It was regrettable that, nearly a decade after the International Convention against the Recruitment, Use, Financing and Training of Mercenaries had been opened for

signature, it had still not entered into force. His delegation called on States that had not yet done so to become parties to the Convention at the earliest possible opportunity.

68. **Mr. Musambachime** (Zambia) said that his delegation condemned all acts of terrorism regardless of their causes, since they undermined the stability and authority of Governments. Member States must take urgent steps to strengthen both international and national legal regimes in order to bring to book the persons and groups responsible for such atrocities. A collective international effort which fully respected fundamental human rights and international humanitarian law was the most potent method of eradicating terrorism. For that reason, the delay in finalizing the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism and especially the delay in agreeing on the formulation of certain of their draft articles were a matter of concern. All States should show flexibility in order to arrive at a compromise on the outstanding issues.

69. It would be a good idea to convene a high-level conference under the auspices of the United Nations with a view to achieving consensus and to establish a body under the aegis of the United Nations to coordinate the counter-terrorism activities of various United Nations entities. It would also be advisable for the international community to consider appropriate measures for addressing the root causes of terrorism. The 12 United Nations conventions on terrorism were crucial to the battle against that scourge and should therefore be ratified and fully implemented.

70. **Mr. Alassane** (Mali) said that he had taken note of the statement made by Turkey at the seventh meeting of the Committee on behalf of the Organization of the Islamic Conference. International terrorism was incompatible with peace. Despite the entry into force of 12 international legal instruments, the evil phenomenon of terrorism was still killing innocent victims and States should therefore treat those crimes with greater rigour. There was no justification for such barbaric acts, but the work of the Sixth Committee gave grounds for hope that political reservations would be overcome and that responsible decisions would be taken on an issue that was a constant source of concern to the international community.

71. His Government had ratified the whole arsenal of legal instruments against terrorism and had taken steps to implement Security Council resolution 1373 (2001). Since the elimination of terrorism called for firm commitment and joint action by all States, divergences in States' positions must be bridged and everything must be done to expedite the adoption of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism, since any further delay would merely offer the proponents of terror additional breathing space. Havens of peace would emerge only when injustice had been banished and the illegal movement of small arms and light weapons had been effectively curbed. Terrorism exploited permeable borders, the existence of informal and illegal financial and trade networks and the limitations of national judicial systems. Every State must therefore adopt efficacious domestic measures in the knowledge that it could count on the support of the international community; only an international strategy resting on consensus would defeat terror.

72. **Mr. Samy** (Egypt) said that, despite the success of the United Nations in coordinating moves to combat terrorism, the support of Member States was still needed in order to reduce the terrorists' sphere of influence. The best method of dealing with terrorism was to establish a legal framework that respected international law and international humanitarian law. In that connection, it was necessary to draw a distinction between terrorism and the legitimate struggle of peoples for self-defence so as to permit a collective reaction that would halt terrorism and wrongful acts. A unified vision was needed to deal with terrorism effectively. To that end, a high-level conference should be convened in order to formulate a legal definition of terrorism. The groundwork could be laid at a regional and subregional level prior to that conference. That initiative should not be seen as an opportunity for further argument, but as an attempt to produce a document reflecting the international community's common position on the issue, so that international peace and security could be restored through the eradication of terrorism. In addition, the responsibility of all the members of the international community had to be clearly asserted.

73. The United Nations played a crucial role in international cooperation to establish a common front against terrorism. That role could best be fulfilled by

giving the General Assembly a more active part in bringing work on the two conventions under consideration to a successful conclusion. His Government had also proposed the setting up of an open-ended working group to examine ways of enabling the Organization to honour its obligations in the sphere of counter-terrorism. It should be remembered that terrorism had many facets and was not the product of one culture or one religion. The Sixth Committee should not, therefore, confine its deliberations to the issue of security, but should also consider cultural and legal aspects. It should turn its attention to situations that served as an excuse for terrorism and allowed certain countries to develop policies that fuelled terrorism.

74. **Mr. Kupchyshyn** (Ukraine), speaking also on behalf of Azerbaijan, Georgia and the Republic of Moldova, said that since the perpetrators of terrorist attacks had violated international law they deserved severe punishment. On several occasions in the past, the international community had demonstrated its determination and resolve in the face of terrorism, inter alia through the work of the Counter-Terrorism Committee. It was important to preserve the leading role played by the Security Council and the Counter-Terrorism Committee in coordinating the international campaign against the terrorist threat and in facilitating dialogue and the exchange of information among regional organizations.

75. In its endeavours to consolidate the international community's response to terrorism, the United Nations should continue to give priority to standard-setting through the promotion and adoption of international legal instruments such as the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism, which, like the other 12 United Nations counter-terrorism conventions and protocols, should be fully implemented. There was also merit in the idea of holding an international global conference on combating terrorism.

76. The role of regional organizations in devising an effective strategy to address security threats could not be overestimated. The GUUAM States had set themselves the goal of combating international terrorism, organized crime and drug trafficking and had consequently signed a cooperation agreement on that subject. They were also examining the possibility of interacting closely with the Financial Action Task Force. Cooperation at the parliamentary and administrative level was likewise aimed at improving regional security and stepping up the battle against global terrorism. Since they believed that the United Nations constituted the best framework for a collective drive against terrorism, the GUUAM States were ready to take an active part in further work on enhancing the legal basis for the international community's endeavours in that direction.

77. **Mr. Hernández** (Mexico) endorsed the statement made by Brazil and said that terrorism in all its manifestations must be condemned. His Government was committed to closer cooperation in the struggle against that form of evil, which was blighting the whole world. For that reason, it was a party to the 12 international instruments on the subject and to the two instruments drawn up by the Organization of American States. Since such instruments permitted more efficacious cooperative action to curb various acts of terrorism, it was vital that the United Nations should bring work on the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism to a satisfactory conclusion. The debate in the Sixth Committee had shown that agreement was within the Committee's grasp, at least with respect to the latter convention, since points of consensus had been identified. The main thing was that the text should be effective in practice and should enjoy the widest possible acceptance. Its adoption would certainly add focus to the struggle against terrorism. It was vital that the General Assembly should achieve tangible results, because it was the ideal forum for negotiating counter-terrorism agreements which enjoyed the legitimacy derived from having been adopted by a universal body.

78. **Mr. Tidiane Thiam** (Senegal) said that, as terrorism constituted one of the most serious threats to international peace and security, it had to be fought with determination and tenacity. The international community must seek the best means of securing efficient global cooperation in order to overcome that threat and the progress made on the two draft conventions was therefore welcome. Since international terrorism was a universal phenomenon devoid of any specific geographical, religious or cultural ties, any attempt to define it, while taking due account of reality, must exclude prejudice and stereotyping. It was also necessary to eliminate any

gaps in existing international conventions. However, it was not enough merely to provide a legal framework covering all aspects of the problem; effective international cooperation resting on the implementation of the pertinent international legal instruments and the exercise of properly resourced international criminal justice were equally vital to standard-setting. His Government therefore welcomed the promising start made by the International Criminal Court and the useful work done by the Counter-Terrorism Committee.

79. His country had already ratified 11 of the 12 United Nations conventions on terrorism together with the International Convention against Transnational Organized Crime and its Protocols and the Convention on the Prevention and Combating of Terrorism of the Organization of African Unity and had assisted in the drafting of other texts on the subject, thereby proving that it intended to join in the global struggle against terrorism.

80. A global response to terrorism would have to pay due heed to the problems posed by the proliferation of nuclear weapons and by the poverty and exclusion which often bred extremist views. It would have to be based on law and must not flout the right of defence, human rights, international humanitarian law or international instruments banning torture. Only the force of law could vanquish barbarity. Hence it would be advisable to convene a high-level conference to voice the international community's reaction to worldwide terrorism and the decision to set up a High-Level Panel on Threats, Challenges and Change was commendable.

The meeting rose at 1.10 p.m.